

w/o

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF YAVAPAI**

DIVISION: 6

HON. THOMAS B. LINDBERG

CASE NO. P1300CR20081339

JEANNE HICKS, CLERK

By: Rachel Roehe, Deputy Clerk

DATE: June 8, 2010

FILED

DATE: June 8, 2010

4:54 O'Clock P.M.

JEANNE HICKS, CLERK

BY: Rachel Roehe

Deputy

TITLE:

STATE OF ARIZONA

(Plaintiff)

vs.

STEVEN CARROLL DEMOCKER

(D-1)

COUNSEL:

Yavapai County Attorney (e)

(For Plaintiff)

John Sears (e)

Larry Hammond & Anne Chapman (e)

OSBORN MALEDON, P.A.

(For Defendant)

HEARING ON:

Jury Trial – Day 18

NATURE OF PROCEEDINGS

COURT REPORTER

Roxanne Tarn

START TIME: 8:30 a.m.

APPEARANCES: Joseph Butner, Deputy County Attorney
Jeff Paupore, Deputy County Attorney
Steven DeMocker, Defendant
John Sears, Counsel for Defendant
Larry Hammond, Counsel for Defendant
Anne Chapman, Counsel for Defendant

Court convenes with the presence of the Defendant and Counsel. The Jury is not present.

Court and Counsel discuss issues regarding Jurors numbered 8 and 11, as well as a question from another member of the Jury.

Court and Counsel discuss an issue that has arisen with regard to sidebars and witnesses.

The Court excuses Juror number 11 from further service in this case over objection by Defense Counsel.

Court and Counsel discuss the proposal for the Court to read a statement to inform the Jury that the Defendant is in custody.

The Court informs the parties that it has entered an under advisement ruling with regard to Alex Knapp. The Court states that it found an insufficient showing for the need for a remote examination of Alex. The Court **DENIED** the request without prejudice.

~*~*~*~*~ Recess – 9:23 a.m. ~*~*~*~*~

At 9:40 a.m., Court reconvenes with the presence of the Defendant, all Defense Counsel, both Deputy County Attorneys and the Jury.

The Court informs the Jury that one juror was excused.

The Court addresses the Jury with regard to the questions received from a member of the Jury. The Court admonishes the Jury.

The Court reads a statement to the Jury with regard to the Defendant being in custody.

Ruth Kennedy is sworn and testifies.

Exhibits 2296 and 2297 are admitted into evidence without objection and published to the Jury.

The Jury is reminded of the admonition and the Court takes the mid-morning recess to allow Court and Counsel to discuss questions from the Jury.

~*~*~*~*~ Recess – 10:57 a.m. ~*~*~*~*~

At 11:18 a.m., Court reconvenes with the presence of the Defendant, all Defense Counsel, both Deputy County Attorneys and the Jury.

Ruth Kennedy resumes the witness stand and testifies further.

The witness is asked some of the questions from the Jury.

The witness steps down.

Jacob Janusek is sworn and testifies.

~*~*~*~*~ Recess – 12:06 p.m. ~*~*~*~*~

At 1:35 p.m., Court reconvenes with the presence of the Defendant, all Defense Counsel, both Deputy County Attorneys and the Jury.

Jacob Janusek resumes the witness stand and testifies further.

~*~*~*~*~ Recess – 3:17 p.m. ~*~*~*~*~

At 3:39 p.m., Court reconvenes with the presence of the Defendant, all Defense Counsel and both Deputy County Attorneys. The Jury is not present.

Court and Counsel discuss questions from the Jury.

~*~*~*~*~ Recess – 3:41 p.m. ~*~*~*~*~

At 3:43 p.m., Court reconvenes with the presence of the Defendant, all Defense Counsel, both Deputy County Attorneys and the Jury.

The Court provides an answer to the question from the Jury.

Exhibits 2298, 212, 670 and 671 are admitted into evidence by stipulation of the parties.

Jacob Janusek resumes the witness stand and testifies further.

Court and Counsel hold a discussion at sidebar, off the record, to discuss questions from the Jury.

~*~*~*~*~ Recess – 4:30 p.m. ~*~*~*~*~

At 4:31 p.m., Court reconvenes in chambers with the presence of the Defendant, all Defense Counsel, both Deputy County Attorneys and the witness, Jacob Janusek. The Jury is not present.

Discussion takes place with regard to Jury questions.

At 4:35 p.m., Jacob Janusek exits the Court's chambers.

Further discussion takes place with regard to Jury questions.

~*~*~*~*~ Recess – 4:40 p.m. ~*~*~*~*~

At 4:44 p.m., Court reconvenes with the presence of the Defendant, all Defense Counsel, both Deputy County Attorneys and the Jury.

Jacob Janusek resumes the witness stand and testifies further.

The witness is asked questions from the Jury.

The witness steps down and remains subject to recall.

The Jury is reminded of the admonition.

END TIME: 4:54 p.m.

cc: VS (e)
Dean Trebesch (Contract Administrator) (PD) (e)
Division 6
YCSO (e)
John Napper, Counsel for Renee Girard (e)
Christopher DuPont, Trautman DuPont PLC (e),
Counsel for Victims Charlotte and Katherine DeMocker